

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
GREENVILLE DIVISION**

UNITED STATES OF AMERICA,

VS.

CRIMINAL ACTION NO. 4:05CR128-P-B

TONY CONROD,

DEFENDANT.

ORDER

This matter comes before the court upon Defendant Tony Conrod's *pro se* motion to obtain a copy of his May 14, 2007 sentencing transcript [86,87]. After due consideration of the motion, the court finds as follows, to-wit:

In his motion, the defendant does not indicate the reason for his request for a transcript of his sentencing hearing. In his plea agreement, the defendant waived his right to appeal and to attack the conviction and/or sentence in any post-conviction proceeding, including a motion brought pursuant to 28 U.S.C. § 2255. Furthermore, the deadline to file a notice of appeal expired on or about June 5, 2007. Accordingly, the court concludes that the defendant should have to pay for a copy of the subject transcript.

IT IS THEREFORE ORDERED AND ADJUDGED that:

(1) Defendant Tony Conrod's *pro se* motion to obtain a copy of his May 14, 2007 sentencing transcript [86,87] is **GRANTED** insofar as the court directs the court reporter to provide the defendant with a copy of the transcript of the May 14, 2007 sentencing hearing upon the defendant's payment of the appropriate fees; and

(2) Noting that the Government does not object, the transcript from the May 14, 2007 sentencing hearing is hereby **UNSEALED** for the limited purpose of providing a copy of the

transcript to the defendant.

SO ORDERED this the 12th day of February, A.D., 2008.

/s/ W. Allen Pepper, Jr.

W. ALLEN PEPPER, JR.

UNITED STATES DISTRICT JUDGE